This portion of the committees was called to order by Chairman Bennett, with Councilmen Page, Berz, Benson, Robinson, Gaines and Gilbert present. City Attorney Randall Nelson and Shirley Crownover, Assistant Clerk to the Council, were also present.

Others present included Richard Beeland, Dan Johnson, Daisy Madison, and Officer Stan Maffett.

Since Attorney Nelson was now present, Chairman Bennett asked him to go over changes that were made in Ordinance (a) on tonight’s agenda that amends Chattanooga City Code Section 3-19 to include advertising sign requirements for signs containing light emitting diodes (LEDS) within signage near streets and roadways within the City of Chattanooga.

Attorney Nelson stated that this was a LEDS change and directed attention to the second page of the Ordinance (d) that changes the language as passed last week and reads “Any signs which contain light emitting diode (LED), liquid crystal display (LCD) illumination or any sign capable of its message/display being changed by electronic/remote means shall comply with the following requires or equivalent”... He explained that this broadened the definition. The only other change was in (i) which reads “All LED signs and on-premise or off-premise message centers shall be mounted on permanent sign structures only. Vehicle-mounted LED displays of any type, including parked or moving vehicles, are prohibited”.

Councilwoman Berz noted that this was relative to signs attached to moving vehicles which were considered dangerous last week—that it looked to her that this new language may have brought them in again.

Attorney Nelson explained that Vehicle-mounted LED Displays were prohibited and off-premise message centers had to be mounted on permanent sign structures.

Councilman Rico stated that what Councilwoman Berz was talking about was a different issue.

Councilwoman Berz stated that she knew the timing was late but urged not to make little amendments that would change the whole; that this did not relate to portable signs and should not happen. She mentioned LEDs that advertise church suppers; that last week we left people thinking (attorney from Miller Martin) that we would try to come up with something. She questioned if we were voting on what we all agreed concerning moving ones. She questioned if LEDs could be in parking lots?
Councilman Benson noted that the sign would have to be permanent.

Attorney Nelson again read “mounted on permanent sign structures only”.

Councilman Benson explained that we don’t have enough inspectors to move around everywhere, but they can control LED signs if they are grounded and are permanent.

Councilwoman Berz stated that she thought we left it for a week or two weeks. She questioned the wisdom of doing class legislation that rules out this one kind of sign. She asked that Attorney Nelson read the change again.

Attorney Nelson noted that in Section (d), we included LED signs last week and had now added Liquid Crystal Display (LCD) illumination or any sign capable of its message/display being changed by electronic/remote means. He again read (i) “All LED signs and on-premise or off-premise message centers shall be mounted on permanent sign structures only. Vehicle-mounted LED displays of any type, including parked or moving vehicles, are prohibited”.

Councilwoman Berz asked if this was limited to billboards? Attorney Nelson noted that we had added “on-premise or off-premise message centers”.

Councilman Rico stated that the discussion had centered more about off-premise.

Councilwoman Berz stated that we needed to be real careful about putting in legislation where flashing, blinking lights are the only exemption; that LEDs are not exempt on a big billboard; that it seems we are trying to keep out a certain look; that we need to be careful how we write laws.

Councilman Gilbert asked if the issue is about traffic? He stated that he thought if you looked up at a billboard and saw lights that it was safer.

Councilman Benson stated that if the sign was stationary and grounded that Mr. Hutsell and inspectors can see it and tone it down if necessary.

Councilwoman Berz mentioned big billboards on Gunbarrel on Saturday nights.

Attorney Nelson stated that in talking about a bus—that the message would be on the back of it, and it becomes more dangerous to read the sign.

Councilman Gilbert questioned the difference in a sign on the side of a road that is attached to a truck?

Councilman Benson stated that that would be illegal.
Councilman Page mentioned that we had no technology to control this type of signage; that we have to make mobile units illegal on the road because we don’t have technology to brighten or direct the signs—that this clarified it to him.

Councilwoman Berz questioned if the issue was between being able to monitor fixed signs but not being able to monitor those signs that are not fixed?

Councilman Page stated that the mobile signs could be on weekends when we have no inspectors to change them electronically.

Councilman Gilbert maintained that one would have the same problem on signs that are fixed and permanent.

Councilman Benson stated that we needed to get Dickey Hutsell at the meeting tonight to answer these questions.

Councilwoman Berz still felt that we were taking a segment of the public and treating them differently.

Resolution (o) on tonight’s agenda had been added by permission of Chairman Bennett. This Resolution authorized the appointment of Kelli H. Haney as special policeman (armed) for the Chattanooga Police Department. Officer Stan Maffett was present in the interest of this Resolution. Chairman Bennett asked him to explain why this was time-sensitive. Councilwoman Berz asked what “subject to certain conditions” meant?

Officer Maffett responded that this was a civilian position and not a policeman. Councilwoman Berz wanted to know if this individual was trained to use arms? Officer Maffett stated that she was qualified.

**NOISE AND CURFEW ISSUES**

Councilwoman Berz stated that Noise and Curfew would be discussed in next week’s Safety Committee meeting; that she had invited members of the Brainerd area to be here at the 6:00 p.m. Council meeting because of the big controversy; that we would be looking at the issue of noise all over the City and there had been serious dialog between herself, the Police Chief and the Mayor.

Councilwoman Gaines stated that she doubted if we would be able to have any dialog other than discussion at her meeting—that she was leaving in March; that she had contacted Chip Baker to be present because he had an interest in this and also David Johnson and that both of them would be here at the 3:30 P.M. Safety Committee meeting on December 16th; that she was looking at mid January before we wrapped up the Noise and Curfew Ordinance—that we might want integration to strengthen them both.
Councilwoman Berz stated that curfew and noise was important in area clubs; that if there was going to be any kind of report, then the Brainerd people needed to be here.

Councilwoman Gaines stated that there would be no report; that she just planned on starting dialog; that this issue had “fell off the boat” before Councilwoman Berz got here. She added that she was going to pull Attorney Freiberg in also.

Councilwoman Berz stated that she thought we should continue this discussion in the Council meeting as well; that it should be in the public arena.

Chairman Bennett pointed out that we have nothing on the Council Agenda concerning this next week; that if the people wanted to speak to any issue that the 3:00 P.M. meeting would be a public meeting and it could be done in a more relaxed manner.

Councilwoman Berz stated that this was a large group of people, and she thought it would probably be better for them to be at the 6:00 meeting, and she would like to have something added to the agenda regarding this.

Chairman Bennett stated that it would have to take place under “Recognition of Persons Wishing to Address the Council on Non-Agenda Matters”; that there would need to be an organizer to speak.

Councilwoman Gaines asked if this group was going to express their concerns? Councilwoman Berz stated that she was not sure. Councilwoman Gaines stated that they could be invited to attend both meetings.

Councilman Page stated that his thoughts was why would they be coming to the City Council other than to express their concerns; that there needed to be a purpose for them to be here and a problem to be expressed.

Councilwoman Berz stated that they had talked about their concerns and had expressed dissatisfaction to the Mayor and to the Police and also herself; that everyone had been working on this at length, and she felt we needed to give this group the opportunity to do this—to discuss noise and general issues; that folks are interested in what they see we are doing; that a number of the folks might not be able to be here at 3:00 P.M. but could come at 6:00 P.M.

Councilman Page asked if they were just coming to express their dissatisfaction.

Councilwoman Berz stated that she had been working on this and asked that Councilwoman Gaines make a brief report of what happens in her committee at the Council meeting because some of the people may not show up at the 3:00 P.M. meeting.
Councilman Benson stated that he thought several months ago we passed something that a group could not start a party after 11:00 P.M.

Attorney Nelson stated that he thought something like this was “ready” to go but was never adopted.

Councilman Benson questioned the wisdom of starting a party at midnight.

Attorney Nelson reminded that all we can do is issue a $50.00 fine for an infraction.

Councilman Rico questioned why Councilwoman Berz’s group could not be here at the 3:00 P.M. meeting? Councilwoman Berz stated that she would invite them to this meeting.

Chairman Bennett stated that Councilwoman Berz could let them know that it is on Councilwoman Gaines’ agenda and invite them here and then Councilwoman Gaines could make a report at Council meeting concerning the 3:00 P.M. meeting; that anyone who wished to speak at the Council meeting could speak for three minutes at the end of the meeting.

Attorney Nelson stated people should be invited to attend from both sides of the issue; that the Club Owner needs to be invited to see how they can all work together. Councilwoman Berz agreed.

Councilwoman Robinson stated that she would be having a Housing Committee meeting next week following Councilwoman Gaines’ Safety Committee meeting; that David Eichenthal with the Ochs Center will be present to give a report on crime.

Councilman Page stated that he also had invited David Eichenthal to attend an Economic Development Committee meeting.

Councilwoman Gaines reminded everyone that the noise and curfew issue will encompass the entire City and not just one district.

The meeting adjourned at 5:00 P.M.